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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/932,948

08/21/2001

Antonio Hinojosa

60990065-2

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7590

11/30/2004

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

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EXAMINER

MATHEWS, ALAN A

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

09/932,948

Applicant(s)

HINOJOSA ET AL.

Examiner

Alan A. Mathews

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-13 and 25 is/are allowed.
- 6) ☒ Claim(s) 1,3,6-10,14-18,20-24,26 and 27 is/are rejected.
- 7) ☒ Claim(s) 2,4,5 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 14-18, 20, 21, and 24 are rejected under 35 U.S.C. 102(a) as being anticipated by the European Patent document EP 0 997 308 A2 (cited on Applicant's PTO-1449 on August 21, 2001). It is noted that the European Patent document EP 0 997 308 A2 is the equivalent to U. S. Patent 6,367,999 (which was used in the previous office action), but the European Patent document EP 0 997 308 A2 qualifies as prior art under 102(a). Figures 4 and 6-9 and columns 6 and 7, paragraph # 27, column 8, paragraph # 51, disclose a platen 400 with a plurality of holes 300. A plurality of vacuum chambers 382 and 383 apply a negative pressure to media 130. A vacuum source 700 is in permanent air communication with holes 300 in the platen through vacuum chambers 382 and 383. With respect to claims 14 -16, figure 10 and columns 7 and 8, paragraphs # 47 and 48, disclose a plurality of vacuum chambers 690, 691, 692, and 693 with walls 685 separating adjacent pairs of vacuum chambers along the platen. The term "along" can mean along the width of the platen. The vacuum chambers have a plurality of openings 660 providing permanent air communication between holes in the platen and a vacuum source. The vacuum chambers are connected via vacuum conduits 680, 681, and 682 to the vacuum source.

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The pressures p, q, and r could be extremely close to each other. With respect to claim 16, the walls 685 are arranged at locations to satisfy the very general relationship. With respect to claim 17, column 8, lines 1-7, disclose different widths. With respect to claim 18, the European Patent document EP 0 997 308 A2 has end walls in the chambers (also, dividing walls 685 could be considered to be end walls for subcomponents). With respect to claim 20, elements 681 and 682 are conduits. The openings 660 would be large enough so that sufficient negative pressure is applied. With respect to claims 21 and 24, figure 10 shows where the pattern of openings 660 is different in the different chambers (some openings 660 are on the bottom and some openings are on the side).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the European Patent document EP 0 997 308 A2 as applied to claims 1 and 21 above, and further in view of Watton et al. (U. S. Patent No. 6,336,722). The European Patent document EP 0 997 308 A2 discloses holes 300 and 350 in platen 400. Thus, the European Patent document EP 0 997 308 A2 discloses the invention except for disclosing that some of the platen holes have a

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cross-section which is asymmetrical. Watton et al. '722 discloses in figure 6 a platen 142 including holes (ports 144) with asymmetrical cross-sections for permitting the object held against the platen with negative pressure to slide more freely against the platen (see column 8, lines 38-45). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide European Patent document EP 0 997 308 A2 with platen holes that are asymmetrical in view of Watton et al. '722 for the purpose of permitting the object held against the platen with negative pressure to slide more freely against the platen.

5. Claims 3, 6 - 10, 23, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over C. The European Patent document EP 0 997 308 A2 discloses in figure 10 vacuum chambers 690, 691, 692, and 693 and a conduit 681. Elements 685 are walls separating the vacuum chambers. Vacuum conduit 681 appears to be a structural beam of the device. The European Patent document EP 0 997 308 A2 does not show conduit 681 as being a separate component from the vacuum chambers 690, 691, 692, and 693. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the vacuum chambers and the vacuum conduit into separate components for the purpose of ease of construction since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Applicant's Remarks

6. With respect to Applicant's Remarks concerning Juan et al. (or the European Patent document EP 0 997 308 A2), figure 10 does disclose pairs of vacuum chambers 690, 691, 692, 693, separated by walls 685).

Allowable Subject Matter

7. Claims 11-13, and 25 are allowed. Claims 2, 4, 5, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The reasons for the indicated allowability of the claims are as follows:

The prior art of record does not disclose or suggest wherein the first component is of a different material from the second component in combination with all the other elements recited in the parent claims to dependent claim 2.

The prior art of record does not disclose or suggest wherein the first component is of plastics material and the second component is of sheet metal in combination with all the other elements recited parent claims to dependent claim 4.

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The prior art of record does not disclose or suggest wherein the first component comprises a plurality of sub components arranged along a single second component in combination with all the other elements recited parent claims to dependent claim 5.

The prior art of record does not disclose or suggest maintaining permanent air communication between holes in the platen and a vacuum source, wherein for at least part of the length of the platen, said vacuum chambers are arranged one behind the other in the direction of media advance and are connected to the vacuum source through a hollow vacuum conduit in combination with all the other elements recited in independent claim 11.

The prior art of record does not disclose or suggest wherein each subcomponent has an end connection region separated from a remaining portion of the sub-component by an end region dividing wall in combination with all the other steps recited in the parent claims to dependent claim 19.

The prior art of record does not disclose or suggest wherein for at least part of the length of the platen, said vacuum chambers are arranged one behind the other in the direction of media advance and are connected to the vacuum source through a hollow vacuum conduit in combination with all the other elements recited in independent claim 25.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan A. Mathews whose telephone number is (571) 272-2123. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan A. Mathews
Primary Examiner
Art Unit 2851

AM